

REMARKS**BEST AVAILABLE COPY**

Reconsideration of this patent application is respectfully requested in view of the following remarks. Claims 1-3 are in the application.

The Examiner rejected claims 1-3 under 35 USC 102 as being anticipated by Berchem '427 in view of Berchem '004. Applicant respectfully traverses.

As discussed in the previous response, Berchem '004 provides no teaching or suggestion that the materials of claim 1 can be used in a disc slide to great advantage. Berchem '427 relates not to a disc slide, but to an entirely different structure. Berchem '427 relates to valve comprising a ball valve and a valve seat. This is not an equivalent structure to a valve comprising a slide plate with two sealing discs. These two structures have completely different mechanic and dynamic properties. While both structures can be used for the same purpose, it is obvious to one of skill in the art that the properties and functional needs of the parts of one valve cannot be transferred to the other valve. Thus, while Berchem '427 may teach the use of quartz glass in a ball valve, there is no teaching or suggestion in either of the

BEST AVAILABLE COPY

cited references that the claimed materials could be used for the valve seat and slide plate of the valve according to the invention.

Furthermore, since Berchem '004 teaches away from the use of the claimed materials for the valve seat and slide plate, one would not be prompted to look at other types of valves for possible new materials. Berchem '004 explicitly teaches away from the use of silicon or quartz glass as a material for the shut off and control elements of the valve. Thus, there can be no suggestion in Berchem '004 to combine its teachings with Berchem '427 to achieve the present invention. The valve of Berchem '004 specifically requires the use of two different materials for the valve seat and slide plate, to prevent adhesion between them. Thus, combining Berchem '004 with Berchem '427 would not lead to the present invention, because the valve seat and slide plate would necessarily have to be made of two different materials, which is not the case with the present invention. Since the present invention has the valve seat and slide plate made of the same material, a feature that has surprising advantages not taught or suggested by the prior art, Claims 1-3 are patentable under 35 USC 103 over Berchem '004 in view of Berchem '007.

BEST AVAILABLE COPY

Accordingly, Applicant submits that claims 1-3 are patentable over the cited references, taken either singly or in combination. Early allowance of the amended claims is respectfully requested.

Respectfully submitted,

ALEXANDER HAYDUK



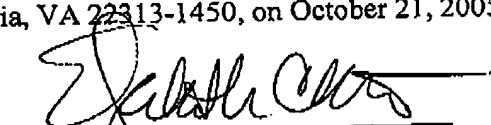
Elizabeth C. Richter, Reg. No. 35,103
Allison C. Collard, Reg. No. 22,532
Edward R. Freedman, Reg. No. 26,048
Frederick J. Dorchak, Reg. No. 29,298
William C. Collard, Reg. No. 38,411
Attorneys for Applicant

COLLARD & ROE, P.C.
1077 Northern Boulevard
Roslyn, New York 11576
(516) 365-9802
ECR:djp

CERTIFICATE OF FACSIMILE TRANSMISSION

Fax No. 571-273-8300

I hereby certify that this correspondence is being sent by facsimile-transmission to the Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on October 21, 2005.


Elizabeth Collard Richter